



STATE OF MICHIGAN
JOCELYN BENSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

MEMORANDUM

DATE: June 13, 2023
TO: Circuit, District, Family and Municipal Court Judges and Staff
FROM: Court Liaison Melissa Noll
SUBJECT: New Distracted Driver's Legislation

2023 PA 41 amended MCL 257.602b to specify that "an individual shall not hold or use a mobile electronic device while operating a motor vehicle." Therefore, effective June 30, 2023, the Michigan Department of State will begin accepting the new offense code 3295. This offense code is only used for passenger vehicles. For commercial vehicles, the offense code for this offense remains 3296.

The clerk of the court must forward an abstract of conviction, using the new offense code, whenever a defendant is found responsible for a violation of MCL 257.602b.

An offense with a violation date that precedes the mandate, will produce an error, and be returned to the court without posting to the driving record.

An offense with a vehicle type that qualifies as a Commercial Vehicle will produce an error and be returned to the court without posting to the driving record, with instructions to change the vehicle type or use a different offense code.

If you have any questions regarding abstracting, please contact Court Liaison, Melissa Noll (517) 230-2562.

Thank you.

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